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3 **UNITED STATES DISTRICT COURT**
4 **SOUTHERN DISTRICT OF CALIFORNIA**

5 CARMEN DI GIOVANNI
6 *derivatively on behalf of Nominal*
7 *Defendant* BRIDGEPOINT
EDUCATION, INC.,

Plaintiff,

8 v.

9 ANDREW S. CLARK; RYAN
10 CRAIG; DALE CRANDALL;
11 MARYE ANNE FOX; PATRICK T.
12 HACKETT; ROBERT HARTMAN;
13 ADARSH SARMA; WARBURG
14 PINCUS & CO.; WARBURG
15 PINCUS PARTNERS LLC;
16 WARBURG PINCUS LLC;
17 WARBURG PINCUS PRIVATE
18 EQUITY VIII, L.P.; and
19 BRIDGEPOINT EDUCATION, INC.,
20 *Nominal Defendant*;

Defendants.

21 SHARON A. CRAIG-JOHNSTON,
22 *derivatively on behalf of Nominal*
23 *Defendant Bridgepoint Education,*
24 *Inc.*,

Plaintiff,

25 v.

26 ANDREW S. CLARK; RYAN
27 CRAIG; DALE CRANDALL;
28 MARYE ANNE FOX; PATRICK T.
HACKETT; ROBERT HARTMAN;
ADARSH SARMA; WARBURG
PINCUS & CO.; WARBURG
PINCUS PARTNERS LLC;
WARBURG PINCUS LLC;
WARBURG PINCUS PRIVATE
EQUITY VIII, L.P.; and
BRIDGEPOINT EDUCATION, INC.,
Nominal Defendant;

Defendants.

CASE NOS. 13-cv-02947 JM (WMC)
13-cv-02950 JM (KSC)

ORDER GRANTING JOINT MOTION
TO CONSOLIDATED RELATED
ACTIONS AND SET BRIEFING
SCHEDULE

1 Having considered the parties' Joint Motion to Consolidate Related Actions
2 and Set Briefing Schedule (the "Joint Motion"), IT IS HEREBY ORDERED as
3 follows:

4 1. All capitalized terms used herein shall have the same meaning as in the
5 Joint Motion.

6 **Consolidation**

7 2. The Actions appear to involve common questions of law and fact.

8 3. The Actions should be consolidated for all purposes pursuant to Rule
9 42(a).

10 4. Hereafter, papers need only be filed in Case No. 13-cv-2947-JM-WMC.

11 5. The consolidated case caption shall be: IN RE BRIDGEPOINT
12 EDUCATION, INC. SHAREHOLDER DERIVATIVE LITIGATION, Case No.
13 13-CV-2947-JM-WMC.

14 6. The complaint filed in Di Giovanni v. Clark, et al., Case No.
15 13-cv-2947-JM-WMC (S.D. Cal. Dec. 9, 2013) (the "Complaint"), shall be
16 designated as the operative complaint in the consolidated action.

17 7. All documents previously served and filed in the Actions are deemed part
18 of the record in the consolidated action.

19 **Scheduling**

20 8. Prior to filing any motion(s) to dismiss the Complaint, the parties shall
21 obtain a motion hearing date from chambers in accordance with Local Rules and
22 chambers' rules.

23 9. Defendants and Bridgepoint shall file any motion(s) to dismiss the
24 Complaint or otherwise respond to the Complaint on or before February 28, 2014;

25 9. Plaintiffs shall file any opposition(s) to Defendants' and Bridgepoint's
26 motion(s) to dismiss the Complaint on or before April 11, 2014;

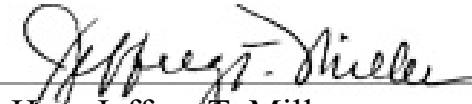
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1 10. Defendants shall file any reply brief(s) in support of their motion(s) to
2 dismiss on or before May 2, 2014.

3 IT IS SO ORDERED.

4 DATED: February 19, 2014


Hon. Jeffrey T. Miller
United States District Judge